

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: OFFICE OF CONSUMER ADVOCATE, Complainant, vs. IDT AMERICA CORP., Respondent.	DOCKET NO. FCU-04-20
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**ORDER GRANTING REQUEST TO WITHDRAW PETITION
AND CLOSING DOCKET**

(Issued June 30, 2004)

On May 12, 2004, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) a petition for a proceeding to consider a civil penalty pursuant to Iowa Code § 476.103 (2003), asking that the Board review the proposed resolution in C-04-92, involving IDT America Corp. (IDT), and consider the possibility of assessing a civil penalty pursuant to Iowa Code § 476.103(4)"a." The Board granted the petition on June 21, 2004.

On June 22, 2004, Consumer Advocate filed a request to withdraw its petition saying that it had filed the petition on the basis that IDT had defaulted by failing to respond to Board staff's inquiry. Consumer Advocate has since learned that IDT responded to Board staff's inquiry after the proposed resolution was issued and for

this reason now requests that the petition be withdrawn. IDT's response indicated that it credited charges to and closed the customer's account.

The Board will permit Consumer Advocate to withdraw its petition and will close this docket.

IT IS THEREFORE ORDERED:

1. Consumer Advocate's request filed on June 22, 2004, to withdraw its petition filed on May 12, 2004, against IDT America Corp., is granted.
2. This proceeding, identified as Docket No. FCU-04-20, is closed.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 30th day of June, 2004.